

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11938 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- SIDHWALIYA District- Gopalganj

Abhay Dubey @ Abhay Kumar aged about 18 years, Male, Son of Subash Dubey Resident of Village - Jogiraha, P.S.- Mohammadpur, District – Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Sidhwalia P.S. Case No. 248/2018 registered under Sections 366A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from a bare reading of the F.I.R. it would appear that the thrust of the allegations are against co-accused Deepak Kumar Dubey. This petitioner was involved in the present case on mere suspicion. It is stated that the victim girl in her statement under Section 164 Cr.P.C. has not named this petitioner and this fact has been noted by learned 1st Additional Sessions Judge while rejecting the prayer for anticipatory bail of the petitioner. The petitioner is said to be a student having no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

In the given facts and circumstances of the case whereunder there is no specific allegation against the petitioner in the F.I.R. and the victim girl has not named the petitioner in her statement under Section 164 Cr.P.C., in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Gopalganj, in connection with Sidhwalia P.S. Case No. 248/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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